

BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary

Meeting Date 6/16/04

Division **County Attorney**

AGENDA ITEM WORDING

Approval of execution of release of solid waste assessment lien recorded at Book 1115, Page 909 of the official records of Monroe County.

ITEM BACKGROUND

Joseph and Delores Mastrangelo, the current owners of Lot 11, Block 19, First Addition to Pirates Cove, Key Largo (RE: 00495700-000000) discovered an ancient solid waste lien against their property in favor of the County when going through the process of refinancing. Legal staff has reviewed the lien and determined that it is unenforceable due to the statute of limitations. The Mastrangelo's bank requires a release of the lien before it will close on the loan. The alternative is to litigate a quiet title action which has no basis for defending.

PREVIOUS RELEVANT BOCC ACTION

None.

CONTRACT/AGREEMENT CHANGES

None.

STAFF RECOMMENDATIONS

Approval.

TOTAL COST none

BUDGETED Yes No

COST TO COUNTY none

SOURCE OF FUNDS

APPROVED BY: County Attorney ■ OMB/Purchasing ! Risk Management !

DIVISION DIRECTOR APPROVAL:

 06/01/04
JOHN R. COLLINS

DOCUMENTATION:

Included !

To Follow xxx

Not Required

AGENDA ITEM # _____

T9

RELEASE OF TAX LIEN

To Whom It May Concern:

This is to certify that the tax lien imposed for the non-payment of the Special Assessment for Garbage and Trash Collection and Disposal levied on or about June 1, 1989 against the property with a legal description of Block 19, Lot 11, First Addition to Pirates Cove, Plat Book 3-87, Key Largo, Monroe County, Florida with a parcel number of RE: 000495700-000000, and which said lien was recorded in the official records of Monroe County at Book 1115, Page 0909, is hereby released by the Board of County Commissioners of Monroe County, Florida, lien holder.

Witness our hand and sealed this _____ day of June, 2004.

ATTEST:
DANNY L. KOLHAGE
CLERK:

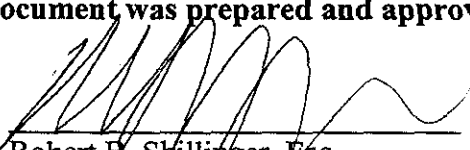
BOARD OF COUNTY COMISSIONERS
OF MONROE COUNTY

By: _____
Deputy Clerk

By: _____
Murray Nelson, Mayor

Dated _____

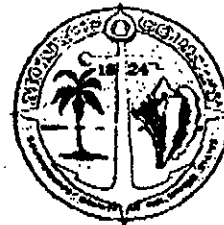
This document was prepared and approved for legal sufficiency by:


Robert B. Shillinger, Esq.
Assistant County Attorney
Florida Bar No.: 058262
P.O. Box 1026
Key West, FL 33041-1026
(305) 292-3470

Notice of Tax Lien

619441

OFF REC 1115 FEB 09 09



TO: DUNCAN CHARLES P & JENNIFER L and
PO BOX 1208
KEY LARGO FL

33037

TO WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED that a TAX LIEN has been placed against the following described real property by MONROE COUNTY, FLORIDA for non-payment of the Special Assessment for Garbage and Trash Collection and Disposal levied against said real property for the assessment year 19 89, in accordance with Monroe County Ordinance No. 10-1977, as amended:

DESCRIPTION OF REAL PROPERTY LIENED:

PARCEL NUMBER=32 61 39 00495700-000000; ALTERNATE KEY:3284453

BE 19 LT 11 FIRST ADDN TO PIRATES COVE PB3-87 KEY LARGO
0R431-572 0R787-845 0R827-1956 0R961-1252 0R995-724

The amount of said lien is \$**217.00 representing the delinquent special assessment annual payment due January 1, 19 89 .

YOU ARE NOTIFIED that this lien may only be discharged by payment to MONROE COUNTY, FLORIDA of the lien set forth above together with interest thereon of twelve (12) percent per annum from the date of delinquency.

YOU ARE FURTHER NOTIFIED that said TAX LIEN may be foreclosed by MONROE COUNTY and the property sold to satisfy said lien or civil action brought against the owner, or owners of said property for collection of the assessment together with interest and reasonable attorneys fees for collection of said lien.

DATED at Key West, Monroe County, Florida this 1 day of JUNE, 19 89.

Recorded in Official Records Book
in Monroe County, Florida
Record Number
DANNY L. KOLHAGE
Clerk Circuit Court

FILED FOR RECORD

'89 DEC 20 09:50

DATE
FILED
MONROE COUNTY

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By:
AUTHORIZED AGENT, IN BEHALF OF THE
BOARD